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U.S. DISTRICT COURT
DISTRICT OF MASS.

Leonitus Jaber Bey
PO Box 1934
Lowell, MA 01854

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UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

Case Name: Leonitus Jabir Bey v Charlie Baker, COMMONWEALTH OF MASSACHUSETTS, et al

Case Number: 19-10219-PBS

Date: 3/26/2019

WRIT OF APPEAL

I.

In response to the ‘Order’ of Patti B Saris, the acting Chief Judge of the United States District Court for the District of Massachusetts, regarding the claim I filed with the Federal Court, there are several moot points that were made. One claim made by Patti B Saris, was that “*Bey also believes that [he] cannot be asked to pay the filing fee in United States Dollar because “all obligations of the Federal Reserve Note Belong to the United States.*” It is not my belief that one cannot be asked to pay a fee in United States Dollars, it is a fact supported by the constitution for the united States of America, set at Article 1 section 10: “No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts;” Thus, according to the constitution and the fact that a fee and a debt are the same, no one can be asked to pay any fee or debts in United States Dollars unless they agree, as the USD or Federal Reserve Note is not backed by gold or silver coin in accordance with the Constitution set at Article 1 section 8, as well as the fact that in the United States Codes, Title 12 § 411, it is stated that the obligation of said notes belong to the United States. (See copy of the certified documents from the Library of Congress attached.)

Since the United States Dollar a.k.a. USD a.k.a. Federal Reserve Note a.k.a Fiat a.k.a. Commercial Paper is not backed by anything of value the Supreme Court Justice in the United States Supreme Court case DON E. WILLIAMS CO. v. COMMISSIONER (1977) No. 75-1312 Argued:

December 8, 1976 Decided: February 22, 1977, stated that “*A promissory note cannot properly be equated with a check, since a note, even when payable on demand and fully secured, is still only a promise to pay...*”. If you can provide case law contrary to these facts of law, then it becomes obvious that a fee can be paid with a promise to pay: which voids all logic.

II.

In regards to the “motion for leave to proceed in forma pauperis”, no such motion was made. I filled out the Courts “APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS”, and nowhere on said document have I listed myself as a poor person, prisoner or pauper. In fact, it was demanded to proceed **pro bono** pursuant to and in accord with the DON E. WILLIAMS CO. v. IRS COMMISSIONER case and the CLEARFIELD TRUST CO. v. UNITED States, 318 U.S. 363 (1943) case and as stated in UNITED STATES v. NATIONAL EXCHANGE BANK, 270 U. S. 527, 270 U. S. 534, where it was stated that “*The United States, as drawee of commercial paper, stands in no different light than any other drawee.*”

Meaning, since the Treasury prints the USD for the Federal Reserve Bank, being private, the Bank and its members are the only person(s) responsible with the debts, fees and promises associated therewith. Thus, it is unconstitutional for any governmental Federal Agency to ask any natural person to pay any fee in anything other than gold or silver coin according to the Constitution which all persons in or otherwise acting as government take an oath or affirmation to support, defend and uphold. Additionally, according to the common-law principles associated with the UNIFORM COMMERCIAL CODES, as a common-law courtesy, a counter offer to ‘pay the fee’ was made in lawful money and since it is denied, the Courts are discharging the fee of 400 USD *Ipsso Facto* and *Ipsso Jure*. Denying my right to proceed pro bono by demanding I “pay” a “fee” with a note is denying my constitutionally secured right to remedy, recourse and or redress. Moreover, to support

the fact that the USD aka Federal Reserve Note etc. has no value, all one has to do is research the proposed Bill on Congress.gov, H.R. 5404, IN THE HOUSE OF REPRESENTATIVES MARCH 22, 2018, Congress finds the following: *(1) The United States dollar has lost 30 percent of its purchasing power since 2000, and 96 percent of its purchasing power since the end of the gold standard in 1913.* *(6) The American economy needs a stable dollar, fixed exchange rates, and money supply controlled by the market not the government.* *(7) The gold standard puts control of the money supply with the market instead of the Federal Reserve.* *(8) The gold standard means legal tender defined by and convertible into a certain quantity of gold.* *(11) The Federal Reserve's trickle-down policy of expanding the money supply with no demand for it has enriched the owners of financial assets but endangered the jobs, wages, and savings of blue-collar workers.* *(12) Restoring American middle-class prosperity requires change in monetary policy authorized to Congress in Article I, Section 8, Clause 5 of the Constitution.* (See copy of the certified documents from the Library of Congress attached.)

III.

Regarding page 4 of the ‘Order’, in response to paragraphs 1, 2 and 3, this is a civil matter between myself and the Governor of the European Colony known as THE COMMONWEALTH OF MASSACHUSETTS and others dealing with the fact that the ‘state level courts’ not only lack Personam Jurisdiction over me since I am not a citizen of said European Colony, but in their alleged charges against me, Leonitus Jabir Bey which they are unlawfully forcedly identifying me as LEON J. CAMPBELL in order to fraudulently gain Personam jurisdiction over me. Furthermore, there is no injured party or corpus delecti which is a requirement for a crime to exist at the ‘state level court’. Meaning, the statement made by Patti B Saris, stating that “*Section 1332 only concerns the jurisdiction of a federal court over civil matters. It has no bearing on criminal*

procedures in federal or state court. Thus, to the extent that Bey claims that the defendants violated his rights under § 1332, his claim fail because § 1332 concerns the Court's subject matter jurisdiction, not substantive rights of a litigant." is moot. See Sherer v. Cullen 481 F. 945: In order for a crime to exist, there must be an injured party (Corpus Delicti). Title 28 § 1332 was being referenced to invoke the federal courts jurisdiction in regards my claim and to the fact that I am not a Citizen of the United States nor the several States, but a native American aboriginal and indigenous Moor, meaning the issue of diversity is primal. It was also referenced to show how the state level courts are violating Article III of the constitution and title 28 § 1332 of the United States Codes. I did not imply that 28 § 1332 granted me any rights, the statement was made to support my preexisting rights and the fact that since I am a Moorish American and since States such as the Colony of Massachusetts lack jurisdiction relating to treaties and the citizens of the respective nations the proper jurisdiction is federal court.

In conclusion, Patti B Saris must reverse her order and decision and the courts, according to the supreme law of the land, meaning the constitution for the United States of America and the Treaty between the Moorish government and the European union known as 'The United States of American of 1786 – 1787 must proceed pro bono.

UNDER PENALTY OF PERJURY

I, Leonitus Jaber Bey, under penalty of perjury and persecution from the Moorish nation do declare and state for the record, to the best of my ability, that all claims and statements made in this affidavit are true, factually based and not made for, nor intended to be used for fraud, misrepresentation, misprision nor usurpation. A Free Moorish American national and citizen of the free National Government of Morocco. I am:

 Leontius Jaber Bey. In honor of my Moabite ancestors to time immemorial, exercising the Divine and Common-Law-Right to Jus Postliminii, in accord with the high principles of Love, Truth, Peace, Freedom and Justice.

On this 19 day of Rajab in the year 1440. [Moorish calander]

On this 26 day of March in the year 2019. [Gregorian calander]

Consul: 
Jamhal Talib Abdullah Bey
Grand Sheik Jamhal Talib Abdullah Bey – Pursuant to the proceedings and debates of the 90th congress first session volume 113 part 12, June 1967, the 14th amendment is unconstitutional and those Moors branded as ‘black’, ‘negro’, ‘Latino’, ‘African-American’, ‘West-Indian’ etc. are not and cannot be citizens of what is known as ‘The United States of America’ (minor) nor the several States which are European colonies authorized to do business here freely on North American soil by the various Moorish Sultans dating back to the 1600s and the establishment of the first European colony by authorization of the Moorish Sultan.

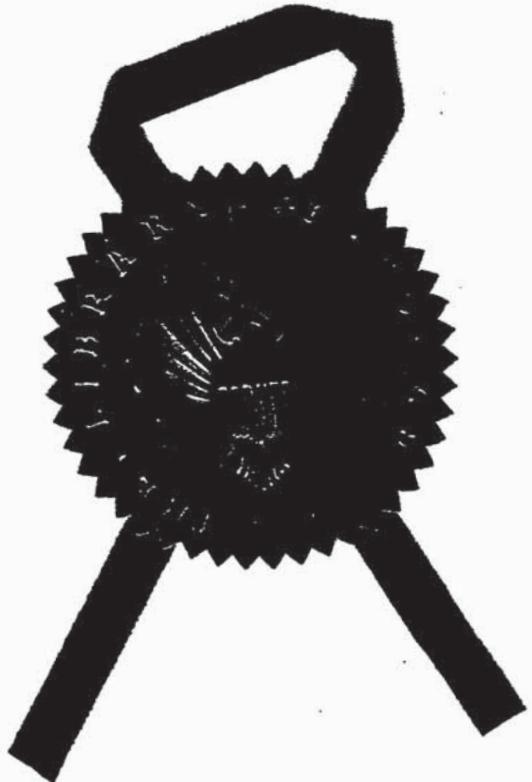


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IN WITNESS WHEREOF, the seal of the Library of Congress is affixed hereto on January 28, 2019.


Rosalina Delgado-Jones
Assistant Business Enterprises Officer
Office of Business Enterprises
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on, and shall at the conclusion of his trust render to such district or circuit court a full account of all his proceedings, receipts, and expenditures as such agent, which court shall, upon due notice, settle and adjust such accounts and discharge said agent and the sureties upon said bond.

And in case any such agent so elected shall refuse to serve, or die, resign, or be removed, any shareholder may call a meeting of the shareholders of such association in the town, city, or village where the business of the said association was carried on, by giving notice thereof for thirty days in a newspaper published in said town, city, or village, or if no newspaper is there published, in the newspaper published nearest thereto, at which meeting the shareholders shall elect an agent, voting by ballot, in person or by proxy, each share of stock entitling the holder to one vote, and when such agent shall have received votes representing at least a majority of the stock in value and number of shares, and shall have executed a bond to the shareholders conditioned for the faithful performance of his duties, in the penalty fixed by the shareholders at said meeting, with two sureties, to be approved by a judge of a court of record, and file said bond in the office of the clerk of a court of record in the county where the business of said association was carried on, he shall have all the rights, powers, and duties of the agent first elected as hereinbefore provided. At any meeting held as hereinbefore provided administrators or executors of deceased shareholders may act and sign as the decedent might have done if living, and guardians of minors and trustees of other persons may so act and sign for their ward or wards or cestui que trust. The proceeds of the assets or property of any such association which may be undistributed at the time of such meeting or may be subsequently received shall be distributed as follows:

First. To pay the expenses of the execution of the trust to the date of such payment.

Second. To repay any amount or amounts which have been paid in by any shareholder or shareholders of such association upon and by reason of any and all assessments made upon the stock of such association by the order of the Comptroller of the Currency in accordance with the provisions of the statutes of the United States; and

Third. The balance ratably among such stockholders, in proportion to the number of shares held and owned by each. Such distribution shall be made from time to time as the proceeds shall be received and as shall be deemed advisable by the said comptroller or said agent. (June 30, 1870, c. 150, § 3, 10 Stat. 63; Aug. 3, 1892, c. 360, 27 Stat. 345; Mar. 2, 1897, c. 864, 20 Stat. 600.)

198. Purchase by receiver of property of bank; request to comptroller.—Whenever the receiver of any national bank duly appointed by the Comptroller of the Currency, and who shall have duly qualified and entered upon the discharge of his trust, shall find it in his opinion necessary, in order to fully protect and benefit his said trust, to the extent of any and all equities that such trust may have in any property, real or personal, by reason of any bond, mortgage, assignment, or other proper legal claim attaching thereto, and which said property is to be sold under any execution, decree of foreclosure, or proper order of any court of jurisdiction, he may certify the facts in the case, together with his opinion as to the value of the property to be sold, and the value of the equity his said trust may have in the same, to the Comptroller of the Currency, together with a request for the right and authority to use and employ so much of the money of said trust as may be necessary to purchase such property at such sale. (Mar. 20, 1886, c. 28, § 1, 24 Stat. 8.)

199. Approval of request.—Such request, if approved by the Comptroller of the Currency, shall be, together with the certificate of facts in the case, and his recommendation as to

the amount of money which, in his judgment, should be so used and employed, submitted to the Secretary of the Treasury, and if the same shall likewise be approved by him, the request shall be by the Comptroller of the Currency allowed, and notice thereof, with copies of the request, certificate of facts, and indorsement of approvals, shall be filed with the Treasurer of the United States. (Mar. 20, 1886, c. 23, § 2, 21 Stat. 8.)

200. Payment.—Whenever any such request shall be allowed as hereinbefore provided, the said Comptroller of the Currency shall be, and is, empowered to draw upon and from such funds of any such trust as may be deposited with the Treasurer of the United States for the benefit of the bank in interest, to the amount as may be recommended and allowed and for the purpose for which such allowance was made: Provided, however, That all payments to be made for or on account of the purchase of any such property and under any such allowance shall be made by the Comptroller of the Currency direct, with the approval of the Secretary of the Treasury, for such purpose only and in such manner as he may determine and order. (Mar. 20, 1886, c. 28, § 3, 24 Stat. 8.)

Chapter 3.—FEDERAL RESERVE SYSTEM.

DEFINITIONS, ORGANIZATION, AND GENERAL PROVISIONS AFFECTING SYSTEM

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- 221. Definitions.
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- 223. Federal reserve cities.
- 224. Status of reserve cities under former statutes.
- 225. Federal reserve banks.
- 226. "Federal Reserve Act."

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- 212. Ineligibility to hold office in member banks; qualifications and terms of office of members; governor and vice governor; offices for board; oath of office.
- 213. Assessments upon Federal reserve banks to pay expenses.
- 214. Chairman of board; qualifications of members; vacancies.
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- 216. Power of Secretary of Treasury as affected by chapter.
- 217. Reports to Congress.
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 - (c) Suspending reserve requirements; establishing graduated tax on deficiency in gold reserve.
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 - (i) Requiring bonds of agents; safeguarding property in hands of agents.
 - (j) Exercising supervision over reserve banks.
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 - (l) Employing attorneys, experts, assistants and clerks; salaries and fees; civil-service rules as applicable.
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- 262. Powers.

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- 282. Subscription to capital stock by national banking association.
- 283. Public subscription to capital stock.
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exceed 50 per centum of such capital stock and surplus. (Mar. 8, 1915, c. 93, 38 Stat. 958; Sept. 7, 1916, c. 401, 39 Stat. 762; June 21, 1917, c. 32, § 5, 40 Stat. 233.)

373. Acceptance of drafts or bills drawn by banks in foreign countries or dependencies of United States for purpose of dollar exchange.—Any member bank may accept drafts or bills of exchange drawn upon it having not more than three months' sight to run, exclusive of days of grace, drawn under regulations to be prescribed by the Federal Reserve Board by banks or bankers in foreign countries or dependencies or insular possessions of the United States for the purpose of furnishing dollar exchange as required by the usages of trade in the respective countries, dependencies or insular possessions. Such drafts or bills may be required by Federal reserve banks in such amounts and subject to such regulations, restrictions, and limitations as may be prescribed by the Federal Reserve Board: *Provided, however,* That no member bank shall accept such drafts or bills of exchange referred to in this paragraph for any one bank to an amount exceeding in the aggregate 10 per centum of the paid-up and unimpaired capital and surplus of the accepting bank unless the draft or bill of exchange is accompanied by documents conveying or securing title by some other adequate security: *Provided further,* That no member bank shall accept such drafts or bills in an amount exceeding at any time the aggregate of one-half of its paid-up and unimpaired capital and surplus. (Sept. 7, 1916, c. 401, 39 Stat. 754.)

374. Acting as agent for nonmember bank in getting discounts from reserve bank. —No member bank shall act as the medium or agent of a nonmember bank in applying for or receiving discounts from a Federal reserve bank under the provisions of this chapter, except by permission of the Federal Reserve Board. (Dec. 23, 1913, c. 6, § 10, 38 Stat. 270.)

375. Purchases from directors; sales to directors.—Any member bank may contract for, or purchase from, any of its directors or from any firm of which any of its directors is a member, any securities or other property, when (and not otherwise) such purchase is made in the regular course of business upon terms not less favorable to the bank than those offered to others, or when such purchase is authorized by a majority of the board of directors not interested in the sale of such securities or property, such authority to be evidenced by the affirmative vote or written assent of such directors: *Provided, however,* That when any director, or firm of which any director is a member, acting for or on behalf of others, sells securities or other property to a member bank, the Federal Reserve Board by regulation may, in any or all cases, require a full disclosure to be made, on forms to be prescribed by it, of all commissions or other considerations received, and whenever such director or firm, acting in his or its own behalf, sells securities or other property to the bank the Federal Reserve Board, by regulation, may require a full disclosure of all profit realized from such sale.

Any member bank may sell securities or other property to any of its directors, or to a firm of which any of its directors is a member, in the regular course of business on terms not more favorable to such director or firm than those offered to others, or when such sale is authorized by a majority of the board of directors of a member bank to be evidenced by their affirmative vote or written assent: *Provided, however,* That nothing in this subsection contained shall be construed as authorizing member banks to purchase or sell securities or other property which such banks are not otherwise authorized by law to purchase or sell. (Dec. 23, 1913, c. 6, § 22, 38 Stat. 272; June 21, 1917, c. 82, § 11, 40 Stat. 240; Sept. 26, 1918, c. 177, § 5, 40 Stat. 970.)

376. Rate of interest paid to directors, etc.—No member bank shall pay to any director, officer, attorney, or employee

a greater rate of interest on the deposits of such director, officer, attorney, or employee than that paid to other depositors on similar deposits with such member bank. (Dec. 23, 1913, c. 6, § 22, 38 Stat. 272; June 21, 1917, c. 32, § 11, 40 Stat. 240; Sept. 26, 1918, c. 177, § 5, 40 Stat. 970.)

DEPOSITARIES AND FISCAL AGENTS

391. Federal reserve banks as Government depositaries and fiscal agents.—The money held in the general fund of the Treasury, except the 5 per centum fund for the redemption of outstanding national-bank notes and the funds provided in this chapter for the redemption of Federal reserve notes may upon the direction of the Secretary of the Treasury, be deposited in Federal reserve banks, which banks, when required by the Secretary of the Treasury, shall act as fiscal agents of the United States; and the revenues of the Government or any part thereof may be deposited in such banks, and disbursements may be made by checks drawn against such deposits. (Dec. 23, 1913, c. 6, § 15, 38 Stat. 205.)

392. Depositaries of Government funds as confined to banks in Federal reserve system; member banks as depositaries.—No public funds of the Philippine Islands, or of the postal savings, or any Government funds, shall be deposited in the continental United States in any bank not belonging to the system established by this chapter: *Provided, however,* That nothing in this chapter shall be construed to deny the right of the Secretary of the Treasury to use member banks as depositaries. (Dec. 23, 1913, c. 6, § 15, 38 Stat. 205.)

393. Federal reserve banks as depositaries for and fiscal agents of agricultural credit corporations or intermediate credit banks.—The Federal reserve banks are hereby authorized to act as depositaries for and fiscal agents of any national agricultural credit corporation or Federal intermediate credit bank. (Mar. 4, 1923, c. 252, Title IV, § 400, 42 Stat. 1480.)

FEDERAL RESERVE NOTES

411. Issuance to reserve banks; nature of obligation; redemption.—Federal reserve notes, to be issued at the discretion of the Federal Reserve Board for the purpose of making advances to Federal reserve banks through the Federal reserve agents as hereinafter set forth and for no other purpose, are hereby authorized. The said notes shall be obligations of the United States and shall be receivable by all national and member banks and Federal reserve banks and for all taxes, customs, and other public dues. They shall be redeemed in gold on demand at the Treasury Department of the United States, in the city of Washington, District of Columbia, or in gold or lawful money at any Federal reserve bank. (Dec. 23, 1913, c. 6, § 16, 38 Stat. 205.)

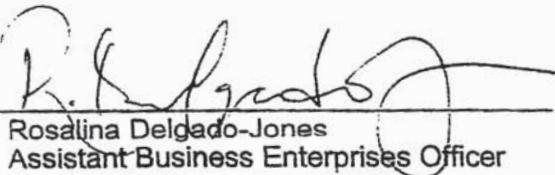
412. Application for notes; collateral required.—Any Federal reserve bank may make application to the local Federal reserve agent for such amount of the Federal reserve notes hereinbefore provided for as it may require. Such application shall be accompanied with a tender to the local Federal reserve agent of collateral in amount equal to the sum of the Federal reserve notes thus applied for and issued pursuant to such application. The collateral security thus offered shall be notes, drafts, bills of exchange, or acceptances acquired under the provisions of sections 342 to 347 and 372 of this title, or bills of exchange indorsed by a member bank of any Federal reserve district and purchased under the provisions of sections 363 to 363 of this title, or bankers' acceptances purchased under the provisions of said sections, or gold or gold certificates; but in no event shall such collateral security, whether gold, gold certificates, or eligible paper, be less than the amount of Federal reserve notes applied for: The Federal reserve agent shall each day notify the Federal Reserve Board of all

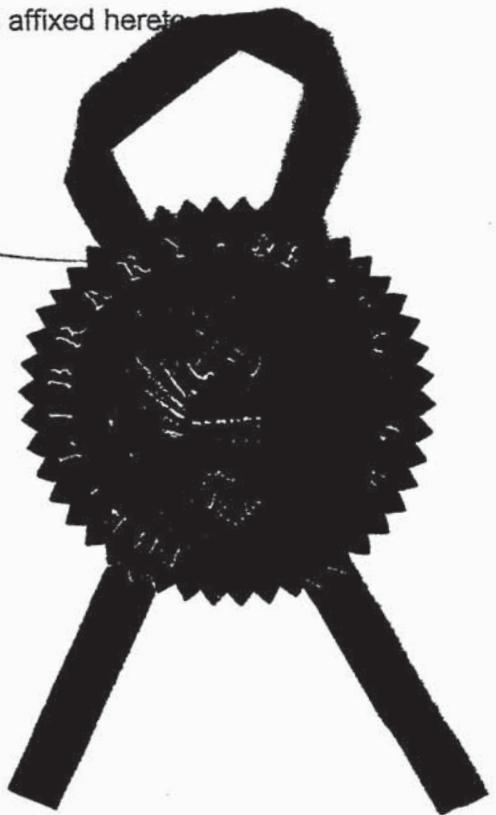


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January 28, 2019.


Rosalina Delgado-Jones
Assistant Business Enterprises Officer
Office of Business Enterprises
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115TH CONGRESS
2D SESSION

H. R. 5404

To define the dollar as a fixed weight of gold.

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2018

Mr. MOONEY of West Virginia introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To define the dollar as a fixed weight of gold.

1 *Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 Congress finds the following:

5 (1) The United States dollar has lost 30 per-
6 cent of its purchasing power since 2000, and 96 per-
7 cent of its purchasing power since the end of the
8 gold standard in 1913.

9 (2) Under the Federal Reserve's 2 percent in-
10 flation objective, the dollar loses half of its pur-
11 chasing power every generation, or 35 years.

1 (3) American families need long-term price sta-
2 bility to meet their household spending needs, save
3 money, and plan for retirement.

4 (4) The Federal Reserve policy of long-term in-
5 flation has made American manufacturing uncom-
6 petitive, raising the cost of United States manufac-
7 tured goods by more than 40 percent since 2000,
8 compared to less than 20 percent in Germany and
9 France.

10 (5) Between 2000 and 2010, United States
11 manufacturing employment shrunk by one-third
12 after holding steady for 30 years at nearly
13 20,000,000 jobs.

14 (6) The American economy needs a stable dol-
15 lar, fixed exchange rates, and money supply con-
16 trolled by the market not the government.

17 (7) The gold standard puts control of the
18 money supply with the market instead of the Fed-
19 eral Reserve.

20 (8) The gold standard means legal tender de-
21 fined by and convertible into a certain quantity of
22 gold.

23 (9) Under the gold standard through 1913 the
24 United States economy grew at an annual average of

1 four percent, one-third larger than the growth rate
2 since then and twice the level since 2000.

3 (10) The international gold exchange standard
4 from 1914 to 1971 did not provide for a United
5 States dollar convertible into gold, and therefore
6 helped cause the Great Depression and stagflation.

7 (11) The Federal Reserve's trickle down policy
8 of expanding the money supply with no demand for
9 it has enriched the owners of financial assets but en-
10 dangered the jobs, wages, and savings of blue collar
11 workers.

12 (12) Restoring American middle-class pros-
13 perity requires change in monetary policy authorized
14 to Congress in Article I, Section 8, Clause 5 of the
15 Constitution.

16 **SEC. 2. DEFINE THE DOLLAR IN TERMS OF GOLD.**

17 Effective 30 months after the date of enactment of
18 this Act—

19 (1) the Secretary of the Treasury (in this Act
20 referred to as the "Secretary") shall define the dol-
21 lar in terms of a fixed weight of gold, based on that
22 day's closing market price of gold; and

23 (2) Federal Reserve Banks shall make Federal
24 Reserve notes exchangeable with gold at the statu-
25 tory gold definition of the dollar.

1 **SEC. 3. DISCLOSURE OF HOLDING.**

2 During the 30-month period following the date of en-
3 actment of this Act, the United States Government shall
4 take timely and reasonable steps to disclose all of its hold-
5 ings of gold, together with a contemporaneous report of
6 any United States governmental purchases or sales, thus
7 enhancing the ability of the market and of market partici-
8 pants to arrive at the fixed dollar-gold parity in an orderly
9 fashion.

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